

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Eolas Technologies Incorporated,

Plaintiff,

VS.

Adobe Systems Inc., Amazon.com, Inc., Apple Inc., Blockbuster Inc., CDW Corp., Citigroup Inc., eBay Inc., Frito-Lay, Inc., The Go Daddy Group, Inc., Google Inc., J.C. Penney Company, Inc., JPMorgan Chase & Co., New Frontier Media, Inc., Office Depot, Inc., Perot Systems Corp., Playboy Enterprises International, Inc., Rent-A-Center, Inc., Staples, Inc., Sun Microsystems Inc., Texas Instruments Inc., Yahoo! Inc., and YouTube, LLC

Defendants.

Civil Action No. 6:09-cv-446

JURY TRIAL

**JOINT STIPULATION OF DISMISSAL BETWEEN EOLAS TECHNOLOGIES
INCORPORATED AND JPMORGAN CHASE & CO.**

Plaintiff Eolas Technologies Incorporated (“Eolas”) on the one hand, and Defendant, JPMorgan Chase & Co. (“JPMorgan”) on the other hand, each acting through their duly authorized undersigned counsel of record, pursuant to a Settlement and License Agreement dated May 12, 2011 hereby stipulate that all claims by Eolas against JPMorgan, and all claims by JPMorgan against Eolas in this action are hereby dismissed with prejudice, and that an order of dismissal to this effect may be entered forthwith. Each of the aforementioned parties shall bear its own costs and attorneys' fees with respect to these claims.

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| <p>McKool Smith, P.C. <u>/s/ Mike McKool</u> Mike McKool Lead Attorney Texas State Bar No. 13732100 mmckool@mckoolsmith.com Douglas Cawley Texas State Bar No. 04035500 dcawley@mckoolsmith.com J.R. Johnson Texas State Bar No. 24070000 jjohnson@mckoolsmith.com McKool Smith, P.C. 300 Crescent Court, Suite 1500 Dallas, Texas 75201 Telephone: (214) 978-4000 Telecopier: (214) 978-4044</p> <p>Kevin L. Burgess Texas State Bar No. 24006927 kburgess@mckoolsmith.com John B. Campbell Texas State Bar No. 24036314 spollinger@mckoolsmith.com Josh W. Budwin Texas State Bar No. 24050347 jbudwin@mckoolsmith.com Matthew B. Rappaport Texas State Bar No. 24070472 mrappaport@mckoolsmith.com McKool Smith, P.C. 300 West Sixth Street, Suite 1700 Austin, Texas 78701 Telephone: (512) 692-8700 Telecopier: (512) 692-8744</p> <p>ATTORNEYS FOR PLAINTIFF EOLAS TECHNOLOGIES, INC.</p> | <p><u>/s/ David Crump by Trey Yarbrough with</u> <u>permission</u></p> <p>David Crump Bar No. 477464 Stephen K. Shahida Bar No. 454970 MCDERMOTT WILL & EMERY LLP 600 13th Street, N.W. Washington, DC 20005-3096 Tel: (202) 756-8327 Fax: (202) 756-8087</p> <p>Trey Yarbrough Bar No. 22133500 Debby E. Gunter Bar No. 24012752 YARBROUGH ♦ WILCOX, PLLC 100 E. Ferguson Street, Ste 1015 Tyler, TX 75702 Tel: (903) 595-3111 Fax: (903) 595-0191 trey@yw-lawfirm.com debby@yw-lawfirm.com</p> <p>ATTORNEYS FOR DEFENDANT JPMORGAN CHASE & CO.</p> |
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Certificate of Service

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 18th day of May, 2011. All other counsel of record will be served via facsimile or first class mail.

/s/ Trey Yarbrough

Trey Yarbrough